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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/866,793

05/30/2001

Stephen Joseph Vesper

VESPER1

5682

1444 7590 02/12/2009  
BROWDY AND NEIMARK, P.L.L.C.  
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EXAMINER

DUFFY, PATRICIA ANN

ART UNIT

PAPER NUMBER

1645

MAIL DATE

DELIVERY MODE

02/12/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09866793	5/30/2001	VESPER, STEPHEN JOSEPH	VESPER1

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**EXAMINER**

Patricia A. . Duffy

**ART UNIT****PAPER**

1645

DATE MAILED:

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**Commissioner for Patents**

In response to the communication by the Board of Appeals, the declaration filed 7-8-02 was considered. The 112,<sup>1st</sup> rejection set forth in the non-final rejection of 4-9-02 was withdrawn on that basis. The declaration filed 7-8-02 has no bearing upon any appealed rejection of record and is not argued as relevant to any appealed rejection.

Therefore, in view of the clarification of the record, the application is being returned to the Board of Appeals for a decision on the Appeal.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia A. Duffy whose telephone number is 571-272-0855. The examiner can generally be reached on M-Th 7:30 am - 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Robert Mondesi can be reached at 571-272-0956.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Patricia A. Duffy/  
Primary Examiner

/Patricia A. Duffy/  
Primary Examiner, Art Unit 1645